



**To:** Members of the Compensation Council

**From:** Stephanie James, Senate Counsel (stephanie.james@mnsenate.gov)

**Date:** June 18, 2026

**RE:** Statutory Duties of the Compensation Council

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This memorandum sets out the duties assigned to the Compensation Council by Minnesota Statutes, section 15A.082. A copy of the statute is attached. This memorandum also addresses questions often raised by members of previous councils.

The last two sections of this memo address particular topics for the Compensation Council convening in June 2026 to establish salaries for justices and judges and for the new inspector general position.

### **1. What are the legal underpinnings of the Compensation Council?**

The Minnesota Constitution, article V, section 4, says that “[t]he duties and salaries of the executive officers shall be prescribed by law.” These officers are the governor, lieutenant governor, secretary of state, auditor, and attorney general. Further, Article VI, section 5, says that “[t]he compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.”

Minnesota Statutes, section 15A.082, creates the Compensation Council “to establish the compensation of constitutional officers and the heads of state and metropolitan agencies included in section 15A.0815.” In addition, the Council is authorized to “assist the legislature in establishing the compensation of justices of the Supreme Court, judges of the Court of Appeals and district court.” Still further, the council is required “to determine the daily compensation for voting members of the Direct Care and Treatment Executive Board.”

### **2. What must the Compensation Council do and by when?**

The Compensation Council must:

- (1) by September 1 in each even-numbered year, make salary recommendations to the Legislature for justices of the supreme courts, judges of the court of appeals and district court;

- (2) by May 1 in each odd-numbered year, prescribe salaries for constitutional officers, for the heads of state and metropolitan agencies listed in Minn. Stat. section 15A.0815; and
- (3) by May 1 in each odd-numbered year, prescribe daily compensation for voting members of the Direct Care and Treatment executive board.

### **3. How and when do the salaries set or recommended by the council take effect?**

The Council's prescribed salaries for constitutional officers, agency heads and the daily compensation for Direct Care and Treatment executive board, take effect July 1.

The Council's recommended salaries for justices of the supreme court, and judges of the court of appeals go into effect on July 1 of the next year and July 1 of the subsequent even-numbered year, unless the legislature by law provides otherwise. The salary recommendations take effect if an appropriation of money to pay the recommended salaries is enacted. The legislature can modify or reject the recommended salaries.

### **4. What must the council consider in setting salaries and making recommendations?**

The council is instructed by statute to consider the following in setting and recommending compensation:

- (1) the amount of compensation paid in government service and the private sector to people with similar qualifications;
- (2) the amount of compensation needed to attract and retain experienced and competent people; and
- (3) the ability of the state to pay the recommended compensation.

### **5. What happens to the council once it has submitted its recommendations?**

Under Minnesota Statutes, section 15A.082, subdivision 6, the council ceases to exist once its recommendations have been submitted.

### **6. May the council make any other recommendations?**

Yes, and some councils have done so. However, recommendations other than those required by statute have no official standing. The Legislature could consider them, follow them, reject them, or simply ignore them.

### **7. What if the council submits its salaries or recommendations after the relevant deadlines?**

Technically, salaries and recommendations made after relevant deadlines fail to meet the requirements of the statute. One might argue that late-submitted salaries or recommendations have no legal effect.

**8. May the council submit its salary recommendations after the relevant deadlines, then continue to meet after that date to consider other recommendations?**

Yes, but since the council would have ceased to exist as an official body upon submission of its recommendations, its members would no longer be entitled to per diem payments, expense reimbursements, or administrative and support services.

**9. In 2026, what is the timeline for the Compensation Council in regard to the salaries for justices and judges?**

In 2025, the legislature changed the schedule for the establishment of salaries for justices of the supreme court and judges of the court of appeals and district courts. (Laws 2025, chapter 39, art. 2, sec. 27.) The law shifted the due date for the Council's submission from April of odd-numbered years to September 1 of even-numbered years. In addition, Laws 2025, chapter 39, art. 2, sec. 64, revived the Compensation Council appointed in 2025 as of June 1, 2026. This revived Council has the task of establishing judicial salaries by September 1, 2026. These salaries take effect July 1, 2027, and July 1, 2028. The revived Council will expire upon submission of those judicial salaries.

**10. In 2026, what is the timeline and responsibility for the Compensation Council in regard the salary for the new inspector general?**

A new office of inspector general was established by law enacted in 2026 to ensure accountability, transparency, and integrity in the operations of state executive branch agencies and programs. (Laws 2026, chapter 92.) The new office must be operational by September 1, 2027. The governor must appoint the head of the new office by February 1, 2027.

The inspector general position is added to the list of agency heads for which the Compensation Council is tasked with setting a salary. Because it is important to have the salary of the Inspector General determined prior to hiring for the position, the Compensation Council must set the salary for the inspector general in advance of that hiring process. The Compensation Council's authority to set the salary is effective June 1, 2026, and will set a salary that will be effective January 1, 2027. (Laws 2026, chapter 119, art. 2, sec. 14.)

A new chapter of law, chapter 15E, is created for the office of the inspector general. This new chapter of statute may not be part of the online statutes until a bit later this summer. In the meantime, you will need to reference the session law, Laws 2026, chapter 92, for details about the office. This chapter spells out the minimum qualifications of the position of inspector general, as well as the powers and duties of the office. In addition, the inspector general will have law enforcement powers effective January 1, 2028.

The salary this 2026 Council sets for the inspector general will be in effect from January 1, 2027, to July 1, 2027, when the salary set by the 2027 Compensation Council takes effect.



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